Calendar No. 146

101ST CONGRESS
1st Session

SENATE

REPORT
101-70

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL "PAPA JOE"

Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

OF THE

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ON

S. 1172

JULY 11 (legislative day, JANUARY 3), 1989.—Ordered to be printed

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WASHINGTON : 1989

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Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 1172]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 1172) to authorize a certificate of documentation for a vessel, having considered the same, reports favorably thereon and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

S. 1172, as reported, grants coastwise trading and fisheries privileges to the vessel *Papa Joe.*

BACKGROUND AND NEEDS

Subject to certain limited exceptions, the provisions of law known as the Jones Act (section 27 of the Merchant Marine Act, 1920) and sections 12106–12108 of title 46, U.S. Code, provide that only those vessels built in the United States, continuously documented under the laws of the United States, and continuously owned by U.S. citizens may transport merchandise or passengers in the coastwise trade of the United States.

Where the facts applicable to a particular vessel suggest that the U.S.-built or U.S.-owned requirements have not been satisfied, the Coast Guard may not issue a document permitting coastwise trading privileges for that vessel unless the requirements of law are statutorily waived.

The vessel *Papa Joe,* Florida registration number FL3900CW, is a 38-foot wooden shrimp fishing vessel registered in the State of Flor-

ida. The owner intends to use the vessel for commercial shrimp fishing.

The owner is seeking a statutory waiver of the Jones Act and the title 46 provisions because he is unable to establish the origin or the chain of title from the original owner to himself. He states that he has made diligent efforts, but has been unable to trace the manufacturer or previous owners, neither of which were required for registration with the State of Florida or North Carolina, where he purchased the vessel. The Coast Guard requires that both criteria be satisfied before documentation for the fisheries can be issued.

LEGISLATIVE HISTORY

S. 1172 was introduced in the Senate on June 13, 1989, by Senator Mack. In open executive session on June 20, 1989, the Committee considered S. 1172, and ordered the legislation reported favorably without objection and without amendment.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 28, 1989.

Hon. ERNEST F. HOLLINGS,
Chairman, Committee on Commerce, Science and Transportation, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1172, a bill to authorize a certificate of documentation for a vessel. The bill was ordered reported by the Senate Committee on Commerce, Science and Transportation on June 20, 1989. Enactment of S. 1172 is not expected to result in any cost to the federal government or to state or local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

Because S. 1172 does not create any new programs, the legislation will have no additional regulatory impact, and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

SECTION-BY-SECTION ANALYSIS

The bill consists of one section. It provides that, notwithstanding sections 12105, 12106, 12107, and 12108 of title 46, U.S. Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883) as applicable on the date of enactment of this Act, the vessel *Papa Joe,* State of Florida registration number FL3900CW, is eligible to engage in the coastwise trade and commercial fisheries and the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation for such vessel.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.

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